Winter 2012

Wake Forest JURIST

exploring

HEALTH CARE REFORM

THE MAGAZINE OF WAKE FOREST UNIVERSITY SCHOOL OF LAW

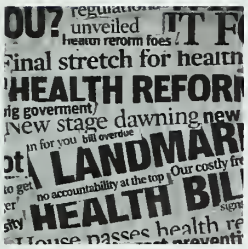
"Wake Forest has phenomenal faculty members, but I would have to say that my most valuable learning experience has been being able to learn from my peers."
Matthew McClellan ('12), SBA President 2011-12

FEATURES

4

EXPLORING HEALTH CARE REFORM

Brad Wilson ('78) is at the forefront of health care changes as CEO of Blue Cross Blue Shield of North Carolina



10

SUPREME DEBATE

Professor Mark Hall believes a health catastrophe could ensue if the high court declares health care reform unconstitutional

12

QUALITY PATIENT CARE

Professor Chris Coughlin challenges doctors to speak the language of the law

DEPARTMENTS

2 From the Dean

14 News Briefs

20 Faculty Notes

28 Class Notes

35 Stewardship Spotlight

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From The Dean

Wake Forest University School of Law is in the midst of perhaps the most exciting period in its history. The pending departure of the Schools of Business has provided the law school with a unique opportunity to transform the Worrell Professional Center into the exclusive home of the WFU School of Law. Planned innovations and renovations, which include structural, aesthetic and technological enhancements, will facilitate the burgeoning programmatic needs required by our educative mission, and affirm the law school as one of the most preeminent institutions in the country. Once realized, this plan will result in a state-of-the-art building on a signature location on campus.

Our vision for the transformation of the Worrell Professional Center into the exclusive home of the WFU School of Law is guided by our emphasis on three major areas:

- **Identity** - Create and establish a definitive identity that reflects the law school's character and values, and signals its preeminent status as a leader in the academy.
- **Community** - Develop areas of the Worrell Professional Center, most notably the Law Commons, that clearly establish a natural communal environment for students, faculty, alumni, and visitors.
- **Educational Experience** - Enhance and contemporize the existing educational environment through the critical updating and renovation of our classrooms, library and other areas that directly impact the teacher-scholar ideal.

With the support of alumni and friends, the Worrell Professional Center will become a facility that reflects the values and pride unique to Wake Forest. This once-in-a-lifetime opportunity will have a profound impact on students, faculty, and the community at large. Directly stated, we must seize this opportunity.

The invaluable support of alumni, supporters, and friends will be needed to realize this landmark moment. Thank you in advance for your commitment to this exciting and transformational moment in the law school's history.

Blake D. Morant

An architect's proposal of the transformed entrance of Worrell Professional Center and home to the School of Law. This rendering is subject to change.

exploring

HEALTH CARE REFORM

With the U.S. Supreme Court poised to consider the constitutionality of the Patient Protection and Affordable Care Act, this issue of the Jurist explores perspectives from three points of view surrounding the issue: an alumnus who is at the forefront of health care changes as the CEO of Blue Cross Blue Shield of North Carolina, the state's leading health insurer; one of the nation's leading experts on the constitutionality of health care reform; and a cross-disciplinary professor who has a novel approach to teaching medical students how to speak the language of the law.

AS CEO OF BLUE CROSS BLUE SHIELD OF NORTH CAROLINA, **BRAD WILSON ('78)** IS AT THE FOREFRONT OF HEALTH CARE CHANGES

You don't have to know where you'll end up to begin an exciting journey, Brad Wilson told law and business students at his talk about the state of our health care system.

Much the same could be said of Wilson's career choices since leaving Wake Forest University. He has been a lawyer in private practice, a public servant and a business executive, a husband, father of two children and community volunteer.

He is president and CEO of Blue Cross Blue Shield of North Carolina, where he is at the forefront of changes to the state's and the nation's health care systems. Wilson spoke to students and faculty at the Wake Forest School of Law and Schools of Business on Oct. 25, 2011, regarding "Driving Value in our Health Care System."

The skills Wilson learned while at Wake Forest have been invaluable on his journey, particularly in his current role. In his introductory remarks he cited Suzanne Reynolds, the executive associate dean of academic affairs at the School of Law, as a mentor.

"Critical thinking, writing, oral communications, listening broadly and certainly an understanding of the law are all applicable in my leadership role at Blue Cross Blue Shield of North Carolina," he said.

Whenever he gets a chance, Wilson said, he asks doctors, nurses, insurance brokers, small-business owners as well as regular folks who are on the receiving end of health care, how they would improve the system.

Members of the Wake Forest community said that Wilson has steered a course of civility, optimism and clear thinking in an area that is sometimes dominated by contentious debate.

Mark Hall, a professor of law and public health, said Wilson has taken the high road in such discussions.

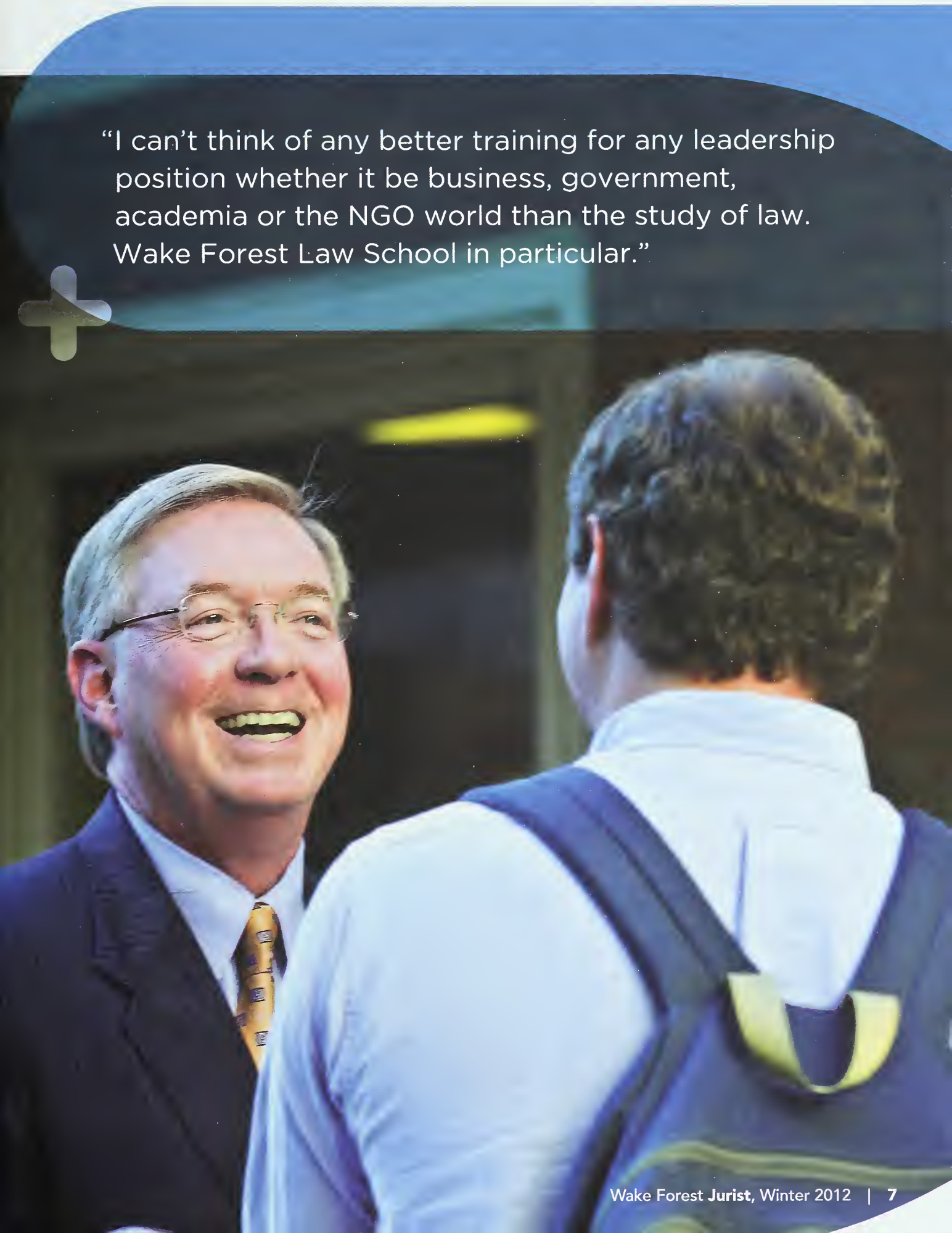
"I was impressed by the importance that Mr. Wilson attaches to speaking with all segments of society, in search of shared responsibility for addressing health care's intractable problems," he said.

In his remarks, Wilson steered clear of rhetorical flourishes, vague prescriptions and business jargon. He was careful to note that his figures came from such sources as White House actuaries, not insurance industry data, which some people might see as biased. He offered examples of programs around the state that should provide critical information about ways to cut costs and improve the quality of health care.

Reynolds was a teaching assistant for Professor Charley Rose when Wilson was a student in the legal research and writing course.

"We stress in teaching legal writing that it begins with critical thinking and with using words properly," she said. "I think we heard the fruit of that critical thinking and precision in choice of words as Brad explained what he considered to be the greatest problems with health care in the United States and why some of the proposals are doomed to failure."

Wilson is a North Carolina native who earned a bachelor's degree from Appalachian State University, his JD from


"I can't think of any better training for any leadership position whether it be business, government, academia or the NGO world than the study of law. Wake Forest Law School in particular."

Wake Forest University and a master's degree from Duke University.

He entered the legal profession through a private practice in Lenoir and went on to serve North Carolina as general counsel for Gov. Jim Hunt, who served four terms.

Wilson has served as a member and chairman of the University of North Carolina Board of Governors. He has also served on the boards of such nonprofits as the Tomorrow Fund, which seeks to boost college graduation rates among Hispanic immigrant students.

Although Wilson spoke at length about the obstacles to reforming health care, he was careful to tell students that he is challenged, rather than pessimistic. He invited them to bring their fresh perspectives to the debate.

His approach to problem-solving goes to the heart of a lawyer's work, Reynolds said. "Brad remains optimistic that we can fix a broken system if we think clearly and act efficiently in efforts to get us back on course," Reynolds said.

Wilson said that he is not only optimistic about the future of health care, but about the use of a law degree, especially one from Wake Forest.

"After the lecture, an undergraduate student asked me if I thought he should consider law school," Wilson said.

"My response was, 'I can't think of any better training for any leadership position whether it be business, government, academia or the nongovernmental organization world than the study of law. Wake Forest Law School in particular.'"

Blue Cross CEO Brad Wilson ('78) says health care reform provides broader access to insurance but doesn't reduce costs

That must change if Americans are going to get the health care they deserve, says Wilson, president and CEO of Blue Cross Blue Shield of North Carolina.

Wilson spoke to faculty and students Oct. 25, 2011, as part of the Health Care Speaker Series. His talk on "Driving Value in Our Health Care System" was sponsored by the Wake Forest School of Law and the Schools of Business MBA Health Care Club.

"We pay more than any other nation," Wilson said, "and we're getting less in return."

The United States ranks 36th on world tables of life expectancy, he said.

The country leads World Health Organization statistics in diabetes, mainly because of our unhealthy life styles.

Change is coming, no matter what happens with the new health care law. Patients are demanding more transparency about costs and the quality of the doctors and facilities they use, Wilson said.

New business models for delivering health care more efficiently will emerge, and there will be more of an emphasis on primary care physicians and preventive care.

"You're going to have to become a more educated consumer," he told the audience.

He urged students to get involved through internships with his company or to take advantage of other opportunities in health care. The field is open to new ideas and perspectives, some of which are already underway.

Wilson said he is excited about his company's partnership with University of North Carolina Health Care, the state's health care system, to develop Carolina Advanced Health. The new medical practice is in the Quadrangle Office Park in Chapel Hill.

The practice cares for about 5,000 Blue Cross Blue Shield members with a focus on patients with chronic conditions.

The clinic emphasizes patient involvement, support and education to reduce costs and deliver more effective care, Wilson said.

Much of the attention paid to the health care reform law centers on the cost of insurance premiums, but that is only a part of the cost of health care, Wilson said.

"Our state-of-the-art technology is wonderful, but it comes with a cost," he said.

Many redundancies and inefficiencies have crept into the system over time, he said. One medical test can turn into three tests. Patients are often required to fill out paperwork that gives the same information over and over.

He hopes the U.S. Supreme Court will uphold the law's requirement that everyone must buy health insurance, Wilson said. But for now, the penalties for not buying insurance are less than the cost of insurance, and that will encourage some people to skirt the law.

Despite the challenges and debates, Wilson said it's a wonderful time to be involved in health care. "The sense I want to give you today is that we are living in a revolutionary time," he said, "where innovation is the watchword."

Professor Mark Hall regularly consults with government officials, foundations and think tanks about health care public policy issues. He is appointed to one of the federal advisory boards that is implementing a part of the new health care reform law and featured in myriad national media outlets, including the Wall Street Journal, the New York Times, NPR and NBC Nightly News.

Professor Mark Hall writes in The Huffington Post that a health catastrophe could ensue if the high court declares health care reform unconstitutional

In March, the U.S. Supreme Court will hear the constitutional challenge to the Affordable Care Act, and so February was the month of brief-writing. The scores of briefs filed contain plenty of bluster and hyperbole — some of it relating to how far federal powers might extend if the court upholds the reform law's "individual mandate." While opponents obsess over what vegetables the government might require them to purchase, they overlook the potential public health catastrophe that could well ensue if the court were to declare the law unconstitutional.

That catastrophe would not flow simply from the uninsured continuing to suffer from lack of access to critical medical care. Although 10,000 or more people may die each year from lack of health insurance, a far greater threat would loom from tying the federal government's hands in responding to potential (and perhaps even probable) public health disasters (i.e., the 1918 flu pandemic that killed more than half a million Americans — and public health experts fear a modern avian flu could do far greater damage. Or, imagine a nuclear meltdown similar to

that in Japan, or more Katrinas brought on by global warming.)

Traditionally, state and local officials have been the first line of defense against natural and public health disasters. But Katrina, swine flu, and several other recent events are clear warning signs that local officials are not equipped to deal effectively with truly catastrophic circumstances. For that, we'll frantically look to the federal government for direction and resources. But, frighteningly, a health insurance ruling forbidding federal authorities from mandating behavior would cut the heart out of the most effective disaster response measures.

Effective response to natural disasters usually entails mandatory evacuations. Containment of infectious disease requires mandatory screening, testing and treatment. Without these firm legal powers, the federal government would be limited to only cajoling, incentivizing or simply forcing people to stay where they are.

You might think that public health measures have an entirely different constitutional foundation than health insurance mandates. But, both rely exclusively on the Constitution's "Commerce Clause." Epidemics and mass disasters obviously impact interstate commerce, which is the basis for the federal government's current quarantine powers. To rule, as opponents of insurance mandates urge, that Congress may not use commerce powers to mandate behavior would necessarily set a firm and absolute bar to mandating behavior in any sphere covered by the Commerce Clause, no matter how dire the circumstances. A Supreme Court precedent, such as an absolute bar, conceivably could one day cost the lives of millions of Americans.

Professor Mark Hall leads group effort seeking U.S. Supreme Court support of Affordable Care Act

Thanks in part to the efforts of Professor Mark Hall, a brief was filed Friday, Jan. 13, 2012, with the United States Supreme Court concerning the most controversial aspect of the Patient Protection and Affordable Care Act: the individual mandate. The mandate would require all Americans to buy health insurance.

The brief by Hall and more than 100 other law professors is in support of the provision and the legislation. Lower courts have ruled in favor of it, but if the Supreme Court doesn't, then the entire law could be in jeopardy, according to Hall.

Hall, who is the Fred D. & Elizabeth L. Turnage Professor of Law at Wake Forest University, led the preparation of the brief.

"I'm very pleased that more than 100 health law professors signed the brief," Hall said. "It's a testament to the emerging field of health law, and the soundness of this legislation, that this many professors agree with the core policy objectives of the Affordable Care Act."

The high court will hear arguments in March 2012 on the constitutionality of this particular provision. The court is expected to make a ruling by June 2012.

Hall is one of the nation's leading scholars in the areas of health care law and policy and medical and bioethics. The author or editor of 15 books, including Making Medical Spending Decisions (Oxford University Press), and Health Care Law and Ethics (Aspen), he is currently engaged in research in the areas of consumer-driven health care, doctor/patient trust, insurance regulation and genetics.

He has been published in the law reviews at Berkeley, Chicago, Duke, Michigan, Pennsylvania, and Stanford universities and his articles have been reprinted in a dozen casebooks and anthologies. Hall also teaches in the Schools of Business MBA program and is on the research faculty at Wake Forest's School of Medicine.

Professor Chris Coughlin challenges doctors to speak the language of the law in The Huffington Post

According to a recent study by Thompson Reuters and HC Plexus, 65 percent of doctors believe the Patient Protection and Affordable Care Act (PPACA), otherwise known as the Health Care Reform Act, or, to some, "Obamacare," will cause a decline in the quality of patient care.

Even more doctors, as many as 78 percent, believe their medical practices will be negatively impacted by the legislation. This pessimism may be the result of a lack of buy-in from doctors who in simpler times in our history were highly influential in discussing, debating and ultimately shaping health care policy.

Only 16 of 535 members of the Congress that enacted the PPACA had medical degrees. Despite intense lobbying, there was little meaningful dialogue between doctors and Congress in the process. Meaningful health care reform — reform that has the buy-in of all of the critical stakeholders in the process — is nearly impossible without meaningful dialogue. And, meaningful dialogue is nearly impossible because the two sides do not speak the same language.

Doctors are increasingly frustrated that their elected representatives, oftentimes lawyers, enact laws that affect health care policy, and every aspect of patient care, yet these elected officials generally lack any medical training. As a result, doctors view the law as creating obstacles to effective patient care, rather than a guide to quality patient care.

Medical education, moreover, has not equipped students and residents with the tools necessary to become involved in the legislative process to effectuate meaningful change.

As an academic who works both in legal and medical education, I have seen the negativity from doctors, who may be understandably dissatisfied with the tort system, trickle down to medical students and residents, who then become negative about the legal profession in general. In addition, in this day and age of media sound bites and rumors about death panels gone viral, there seems to be increasing animosity and fear between the professions, as well as a significant amount of misinformation about medico-legal issues.

I wanted to help combat the problem by providing a meaningful educative experience that would teach medical students the language of the law, and the theory of how different legal doctrines work together in the health care arena. My goal was to provide future doctors the tools necessary to become meaningfully involved in the dialogue and help change that which does not work. That concept became reality this past year when Wake Forest University School of Medicine offered fourth-year medical students a month-long rotation in legal education housed at the Wake Forest University School of Law.

Language immersion is generally considered the optimal way to become fluent in a new language. Likewise, medical students need legal education immersion if we want them to achieve a level of fluency in their understanding

of the language and process of law. The month-long rotation allowed these medical students the time to become immersed in the law, just as they do in their other medical school rotations, such as orthopedics or pediatrics.

During the rotation, the medical students studied jurisprudential theory such as natural law, positive law and legal realism. They learned about the importance of the rule of law in civilized society. Further, because health care law is an amalgam of many legal doctrines, the medical students were taught about the theories underlying basic legal education doctrine, such as constitutional law, contracts, torts, and property, all with an eye toward how these doctrines play out in medical research and their future medical practices.

In addition, I wanted to make sure that my students would never form an opinion about a piece of health care legislation without reading the actual bill or law. Thus, during the rotation, the medical students learned how to research and find the law, how to read and interpret case law, statutes and regulations, along with the process needed to change the law.

According to a 2011 study of medical students' experiences with the medico-legal curriculum in medical schools in the U.K., "A greater focus on law in clinical practice, rather than learning in the abstract, appears necessary to facilitate knowledge, skill retention and development." We used this principle in designing an experiential component to the afternoon session of the course.

There, the medical students joined law students in learning about health law and bioethics and participating in realistic legal/medical, biotechnical and research-related scenarios, such as a clinical ethics consultation, an investigational review board meeting, an appellate argument, as well as a medical malpractice negotiation and mediation.

The students were assigned roles (patient, doctor, judge, lawyer, congressional representative, agency representative, ethics committee members, etc.) opposite their field of study. So, for example, the law students were assigned to be medical providers, and the medical students performed the role of lawyer, in-house counsel, judge, etc.

The students were required to resolve the medico-legal conflict and discuss the valid competing professional and social interests at play. Also, the students had to consider the humanistic element — how would a person in a certain role react, and what ethical choices might he or she have to make?

As the authors of the U.K. study opined, "If future doctors are to uphold and advocate effectively for legal rights of patients they must have a sound grasp of the law and the confidence to apply that understanding." This finding again seemed to play out in our course. The medical students indicated that they began to view the law as a guide to quality patient care, rather than an obstacle. Some indicated that they took their role in advocating for a better health care system more seriously, and they would be more likely to become involved in the legal/political process if they experienced a law as being unfair, unworkable or contrary to best practices.

The U.S. Supreme Court will weigh in on the issue of the health care reform mandate as early as this summer. Until we have clarity about the PPACA and how our future health care system will operate, however, pessimism will abound in the medical profession. My hope is that through programs like ours at Wake Forest University we can provide future doctors with a voice to enter the debate, along with the confidence of knowing that they can positively affect the legal system to ultimately provide better patient care for all.

U.S. Supreme Court Justice Ruth Bader Ginsburg will be a guest lecturer during the law school's Venice and Vienna Study Abroad Programs in the summer of 2012. "We are thrilled that Justice Ginsburg has so graciously agreed to once again share her expertise with our students in our study abroad programs," said Dean Blake D. Morant. The associate justice will be guest lecturing for a week during each program in July 2012. "I am truly looking forward to having Justice Ginsburg in our classes in Vienna and Venice where she will not only influence our Wake Forest students but will have direct interactions with students from the University of Vienna and the University of Padua as well," said Associate Dean of International Affairs Richard Schneider. "It will be a truly international educational experience for her that will benefit the students immeasurably."

The North Carolina Court of Appeals on Sept. 20, 2011, ruled in favor of the Appellate Advocacy Clinic's clients, in the case of Crump v. North Carolina Department of Environment and Natural Resources. John Byron ('11) wrote the appellate brief for David Crump and his wife, Sharon. In a unanimous, published opinion issued without oral argument, the Court of Appeals agreed with the Appellate Clinic and affirmed the lower court's decision in favor of the Crumps. For the 2011-12 school year, the Appellate Clinic has five appeals in five different appellate courts: the Fourth Circuit, the Seventh Circuit, the Eleventh Circuit, the Delaware Supreme Court, and the North Carolina Court of Appeals.

In an era teeming with political brinkmanship and hyper-partisan rhetoric, former New Jersey governor and EPA administrator Christine Todd Whitman believes she has the solution. Speaking to a packed auditorium on Sept. 19, 2011, at Wake Forest's new Porter B. Byrum Welcome Center, Whitman said, "People can't let cynicism trump their civic responsibility." She cited low voter turnout and the increasing volatility of national elections as signs that the American people are disillusioned with politics as usual. In addition, she said, toxic campaigning has become more prevalent with the rise of social

INTERNATIONAL HUMAN RIGHTS EXPERT GIVES DEAN'S DISTINGUISHED LECTURE

The United States could have — should have — captured Osama bin Laden, says Philip Alston, one of the world's leading experts on international human rights. But he said a precedent giving America the legal authority to kill him is at best unclear and at worst wholly nonexistent.

"There is no doubt in my mind that bin Laden could have been captured," says Alston, who spoke Oct. 6 to students and faculty at the Dean's Distinguished Lecture.

"There is no evidence that I've seen that there was ever any intention other than to kill him. For me that's problematic. I don't think any civilized country goes around saying, 'This guy is the great enemy; we're going to kill him.'" Alston is a John Norton Pomeroy Professor of Law at New York University School of Law. He was U.N. Special Rapporteur on extrajudicial, summary or arbitrary executions from 2004 to 2010.

He has been published widely in the field of International Law and was editor in chief of the European Journal of International Law from 1996 to 2007.Alston received degrees in Law and in Economics in his home country — Australia — and a JSD from Berkeley. He is the author of the recent controversial report, "The CIA and Targeted Killings Beyond Borders," which is available on SSRN and forthcoming in the Harvard National Security Journal.

media and the Internet. The speech was co-sponsored by the Wake Forest Center for Energy, Environment and Sustainability, the School of Law, and the Schools of Business.

Wake Forest law school is once again among the nation's "Best Value" law schools, according to the National Jurist and preLaw magazines. Wake Forest is among 60 law schools that made the list of Best Value law schools, preLaw magazine announced this week. This is the fifth time since 2004 that the magazine has honored law schools for providing a good value. The methodology was modified this year to enhance fairness. The magazine's ranking takes into account in-state tuition, debt and the percent of graduates employed nine months after graduation, in addition to bar passage. Prior to this year's honor roll, a law school needed a better bar pass rate than its state average to be included on the list. This year, the magazine used a two-year average for both bar pass rate and percent of students employed, and it did not automatically exclude a school that did not meet the bar pass standard or a tuition or employment standard.

Kelly Amell ('12) received a community service award from the Coalition for Drug Abuse Prevention in Winston-Salem. She was nominated for the award by Art Blevins, director of the Hanes Hosiery Community Center, for her volunteer work with the students there through the law school's Youth Advocacy Group and the Sports and Entertainment Law Society. Amell coordinates more than 50 Wake Forest law school students who mentor area youth ages 6-14 at the community center by coaching basketball teams and helping with tutoring after school, according to Blevins. She spearheaded a 3-on-3 Basketball Tournament for law and business school students last fall that

MASTER STORYTELLER: CRIMINAL DEFENSE ATTORNEY WADE SMITH SHARES HIS STORIES AS PART OF "CONVERSATION WITH ..." SERIES

The best lawyers are good story tellers, says Raleigh criminal defense attorney Wade Smith.

"Justice (Carlisle) Higgins taught me that every case tells a story and the person who tells the best story wins," he said. "In order to be a good lawyer, you have to be a great story teller."

Smith proved during his fall 2011 "Conversation With..." series appearance at Wake Forest University School of Law that he is a master storyteller. And there is no doubt that Smith is a good lawyer.

In 2004, Business North Carolina Magazine named him North Carolina's No. 1 criminal lawyer, based on a vote by his peers. The North Carolina Bar Association in 2008 established an award in Smith's name "for a criminal defense attorney who exemplifies the highest ideals of the profession."

Smith, who is best known for his representation of Dr. Jeffrey McDonald in the Green Beret Murder case as well as one of the accused young men in the Duke Lacrosse Case among others, was born and raised in struggling Stanley County immediately following the Depression. Both of his parents were mill workers.

"My neighborhood was rough," he told Professor Ron Wright during their conversation. "There was no running water. I went to the well to get water for my family."

Smith said growing up in the shadow of the textile mills motivated him. "I thought, 'I will show them and I will show the world that people who grow up in those circumstances can be good,'" he said. "I think that has been a great motivating factor in my life."

Smith graduated in 1963 from University of North Carolina law school, which he said he loved from the moment he walked through the doors. "When I got to law school, I felt like I was home," he said. "We didn't know any lawyers and I had never met one, but I knew I wanted to be a lawyer."

raised more than $250 for the community center's Youth Fund, which helps pay for jerseys and trophies.

The American Bar Association's Law Practice Management Section (LPM) announced the winners of its first-ever LPM Law Video Awards during the third bi-annual ABA Law Firm Marketing Strategies Conference on Nov. 8, 2011 in Philadelphia. The law school's video, Wake Forest Law Alumni in New York City, received second place in the Legal Organizations/Legal Vendors category. First place went to the University of Utah's S.J. Quinney College of Law and the third place winner was the City University of New York School of Law. More than 100 high-quality videos from top law firms, law schools and legal vendors competed in four categories: Large Firm; Small Firm; Legal consultant/ Vendor/Organization; and, Short Video. "This important event acknowledges the significance and burgeoning use of video as a promotional tool in the legal industry," said Micah Buchdahl, chair of the ABA Law Firm Marketing Strategies Conference.

A new initiative links Wake Forest University law students to youths in the juvenile-justice system in hopes of keeping the youths from getting in more trouble. Law students are partnering with Reclaiming Futures Forsyth County and Advanced Placement BHHS Inc. to serve as mentors to youth who have entered into the juvenile court system. Under the Pro Bono program, students are encouraged to provide voluntary legal services to community organizations. The Honorable William B. Reingold, Chief District Court Judge of Forsyth County, initiated the partnership between Wake Forest and Reclaiming Futures. "I felt it would be a natural fit to have these students paired with youth involved in the juvenile court system to not only be role models but to also provide needed information to ensure they don't become repeat offenders." Professor Beth Hopkins, the law school's outreach director, stated, "We are excited to add this mentoring program through Reclaiming Futures Forsyth County and Advanced Placement BHHS Inc. as an ongoing opportunity for our students to impart knowledge as to the legal consequences of making bad choices and to give back to their local communities."

Ten Wake Forest University School of Law students have been given the opportunity to pioneer a program that will bring Winston-Salem residents and Wake Forest University students together in an effort to mediate their grievances. The city of Winston-

ROBERT F. KENNEDY JR. URGES STUDENTS TO MIGRATE TOWARD ENVIRONMENTAL ACTIVISM

A true free market, says Robert F. Kennedy Jr., fosters efficiency and encourages us to properly value our natural resources. In a true free market, he says, people can't become rich without also enriching their neighbors and enriching their communities.

"What polluters do is they make themselves rich by making everybody else poor. They raise standards of living for themselves by lowering quality of life for everybody else."

Kennedy, son of the former attorney general and iconic civil rights activist and nephew of President John F. Kennedy, spoke, Nov. 4, 2011, at the Wake Forest law school. A recording of his talk is available on the law school's website.

The previous evening Kennedy presented "Green Gold Rush: A Vision for Energy Independence, Jobs and National Wealth" in Wait Chapel.

A stalwart supporter of the environment and new energy initiatives, Kennedy was named one of TIME magazine's "Heroes for the Planet" for his success in helping Riverkeeper lead the fight to restore the Hudson River, a former "national joke" that, he says, has undergone a miraculous resurrection and has become an international model for eco-system protection. The Riverkeeper group's achievement helped spawn more than 160 Waterkeeper organizations across the globe.

In 2009, Kennedy was named one of Rolling Stone's "100 Agents of Change." Kennedy says America has real potential to transition into an economy that prospers on the strength of new energies such as wind and solar power, and he promotes this idea not only through his work as an environmental activist but through capital projects as well.

One of his companies, he says, is building America's largest power plant in the Mojave Desert. The plant, which will produce solar power, can be built in three years and will cost about $3 billion, about the same for a coal plant and a quarter of the cost of building a nuclear power facility, he says.

Kennedy encouraged law students to migrate toward the idea of working to promote environmental activism and new sources of energy.

"We're going to win this battle, and we're going to win it very quickly," he said.

Salem approached the Wake Forest Pro Bono Project about starting such a program, which has now been named the Community Conflict Resolution Voluntary Mediation Program. The city has responded enthusiastically to the efforts of the students thus far. The program is also supported by Wake Forest University as a way for Winston-Salem residents who live adjacent to off-campus student housing to express their concerns with their student neighbors in a private and non-judicial setting. This program is groundbreaking for the city of Winston-Salem and the Wake Forest community. Previously, there had been no outlet for neighbors of Wake Forest students to articulate their concerns about non-police matters involving Wake Forest students, such as garbage pickup and acceptable noise levels. To learn about various mediation techniques, the students had the opportunity to attend a training program with Professor Ralph Peeples.

Surround yourself with friends, wherever they may be, says Marjorie Benbow (JD/MBA'99), executive director of the North Carolina Biotechnology Center in Charlotte. "You'll never know who has your back," Benbow said. Benbow, a Winston-Salem native, spoke to students and faculty in the Wake Forest Schools of Law and Business on campus Oct. 26, 2011. The discussion was titled "Business Ethics: Whistleblowing in Biotechnology." Science, law and business, Benbow told the audience, have great potential for synergy, offering a paradigm in developing a solid moral compass. But the respective disciplines also have a potential to clash. Science, she said, encompasses the facts. In business, it's about money and the bottom line. The law is about legality and precedent. The life-science sector, she says, is poised for the triple bottom line — good science, societal benefits and good profits. "That's what's exciting about the life-science sector," said Benbow, who is licensed to practice law in North Carolina and is a registered patent attorney.

The Wake Forest Law Review's 2011 "Community Prosecution and Community Defense" symposium brought together legal scholars, policy leaders, and practicing attorneys who offered a range of perspectives on "Community Prosecuting" and "Community Defense." The symposium, hosted by Professor Ronald on Nov. 4, 2011, focused on the connection between communities and the prosecutors and defense attorneys who work in those communities. In particular, the symposium focused on growth in the "community" organizational models for prosecutor offices and public defense organizations, which aim to democratize and decentralize the work of criminal justice actors, paralleling the earlier development of "community policing." Presenters included Ben David ('95), district attorney for North Carolina District 5 in Wilmington, N.C.

The new generation of veterans returning from Iraq and Afghanistan are eager to give back to their communities, even though they, and their needs, are sometimes invisible to the general population. To honor their service, raise awareness of veterans in the area and give them support, students in the Veterans Advocacy Law Organization (VALOR) held a series of events during Veterans Awareness Week, Nov. 5-12, 2011. The students collected canned goods for homeless veterans, distributed yellow ribbons on campus, helped homeless veterans file Vetrans Administration benefits claims and honored veteran law students and faculty at a reception. The week's events culminated with a 5K race. Proceeds from the race benefited the Bethesda Center for the Homeless to help homeless veterans there. VALOR is a new organization with about 50 members that was created last spring by law students to recognize and support recent veterans.

The Piedmont Triad Lawyers Chapter of the Federalist Society and the Wake Forest University Student Chapter of the Federalist Society hosted a reception and discussion on the legal and constitutional issues concerning the Dodd-Frank Wall Street Reform & Consumer Protection Act on Oct. 6, 2011, in the Worrell Professional Center. The featured guest speaker was the Hon. C. Boyden Gray, a former ambassador to the European Union (2006-07) and former Special Envoy for Eurasian Energy Diplomacy (2008-09). Gray also served as former Special Envoy for European Union Affairs (2008-09); White House Counsel in the administration of President George H.W. Bush (1989-93); and is currently a partner at Boyden Gray & Associates in Washington, D.C.

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ELDER LAW CLINIC HELPS BUILD STRONG N.C. NETWORK

The Elder Law Clinic is special for many reasons, not the least of which is the practical experience students gain by taking part in the program. The clinic, which is 20 years old, also has helped to build a strong network of expertise among the Wake Forest alumni who practice throughout North Carolina.

"Wake Forest has helped North Carolina's families by training very strong elder law attorneys. I am proud that our former students are committed to their continued learning and growth as lawyers," says Kate Mewhinney, a clinical professor who oversees the Elder Law Clinic.

The clinic provides free legal assistance to moderate-income seniors; it also serves as a resource center for lawyers and other professionals. Components of elder law fit well with general law practices. In today's market, Mewhinney says, lawyers must be versatile, and it's a good strategic move to learn to handle the legal issues of baby boomers.

Natalie J. Miller ('04) runs her own law practice in Mooresville. "Participants of the Wake Forest Elder Clinic have a noticeable and obvious advantage over those attorneys who did not attend the Elder Clinic," she says.

Miller was among a group of Wake Forest alums who attended a recent gathering of North Carolina and South Carolina members of the National Academy of Elder Law Attorneys. The group met the weekend of Sept. 22-23, 2011, in Black Mountain. The organization has some 4,500 members in all, and about 45 from this region got together for the "UN-Program."

Wake Forest alumni and students who joined Miller and Mewhinney for the gathering were: W. Mark Edwards ('97), of Nashville, a State Bar Certified Elder Law Specialist; Angela Kreinbrink ('06) of High Point; Kristin Burrows ('05) of Chapel Hill; Tyrel Hooker ('12) and Aimee Smith ('02) of Winston-Salem; Sue Alcorn ('01) of Concord; Jen Garrity ('95) and Kim Gossage ('98) of Matthews. Other Wake Forest alums who focus on elder law in the state are: Jennifer Barnhart Garner ('94) of Pinehurst; Caroline Knox ('00) of Hendersonville, a State Bar Certified Elder Law Specialist; Darren McDonough ('98) of Reidsville; David Inabinett ('96) of Lexington; David McLean ('99) and Jonathan Williams ('11) of Greensboro; and Katie Fulk ('08), Caleb Rogers ('05) and Susan Ryan ('05) of Winston-Salem.

The Elder Law Clinic is in the J. Paul Sticht Center on Aging and Rehabilitation in the Wake Forest Baptist Medical Center. The program's newsletter and application for services can be found on its website along with resources about law and aging issues.

Carol B. Anderson

Christine Coughlin

Carol Anderson

Presentations

- Along with Peter Hoffman of Elon University conducted an intensive four-day, two-hour course on depositions during the winter break from Jan. 12-15. Students from both WFU and Elon law schools participated, along with eight other faculty members from the local practicing bar.

Christine Coughlin

Publications

- "The Other Side of the Story: Using Graphic Organizers to Counter the Counter-Analysis Quandry," excerpt included in Linda Edwards, "Briefs that Changed the World: Advanced Strategies in Legal Argument," forthcoming Aspen Publishers 2012.

Timothy Davis

Activities

- Chaired meeting of the Contracts Drafting Committee of the National Conference of Bar Examiners, Las Vegas, Nev., Sept. 6-17.

Presentations

- "Labor Law, Sports Agents and Collective Bargaining" at 2011 SEALS Annual Meeting, Hilton Head, S.C. July 28, 2011.

Publications

- An edited version of "Athlete Eligibility Requirements and Legal Protection of Sports Participation Opportunities," 8 Va. Sports & Ent. L.J. 71 (2008 with Matthew Mitten) has been reprinted in "The Handbook of International Sports Law" (J.R. Nafziger & S. F. Ross, 2011).

Shannon Gilreath

Publications

- "The End of Straight Supremacy: Realizing Gay Liberation" (Cambridge University Press, 2011).
- "Patriarchal Religion, Sexuality, and Gender: An Introductory Essay," 1 Wake Forest Journal of Law and Policy 197-205 (2011).
- Completed the 2nd edition of "Sexual Identity Law in Context: Cases and Material's (West) (with Lydia Lavelle).
- Completed "Why Gays Should Not Serve in the United States Armed Forces: A Gay Liberationist Statement of Principle," for a special issue of the William and Mary Journal of Women and the Law focusing on the repeal of Don't Ask, Don't Tell.

Laura Graham

Publications

- "Cosmetic Credibility: Using Document Design to Enhance Legal Writing," 22 N.C. Lawyer 29 (N.C. Bar Association. November 2011).
- "Before You Click 'Send': E-mail Best Practices for Lawyers," 16 Young Lawyer 2 (ABA Young Lawyers Div. December 2011/January 2012).

Michael Green

Activities

- Served on Faculty Senate, Senate Executive Committee, and Chair of the Senate's Fringe Benefits Committee.
- Served as the Baker & Hostetler Visiting Scholar at the Cleveland-Marshall School of Law.
- Served as the sponsor and mentor for a visiting Chinese scholar, Yinhong Yang, from Fujian Normal University.

Shannon Gilreath published "The End of Straight Supremacy: Realizing Gay Liberation."

Timothy Davis

Shannon Gilreath

Laura Graham

Michael Green

Mark Hall

John Knox

- Attended the awarding of the John Fleming Award to Robert Rabin at the University of California at Berkeley.

Presentations

- Spoke on "Deforming Tort Law: The Role of the Jury" at Cleveland-Marshall School of Law
- Attended and participated in discussion of "State Liability" draft at meeting of European Group on Tort Law in Geneva, Switzerland.

Publications

- Book chapter entitled "Reference Guide on Epidemiology in Reference Manual on Scientific Evidence," published jointly by the National Academy of Sciences and the Federal Judicial Center.
- Article entitled "Conceptual Clarity and Necessary Muddles," 90 Tex. L. Rev. 41 (2011) (with W. Powers).
- Article entitled, "Introduction: The Third Restatement of Torts in a Crystal Ball," 37 W. Mitchell L. Rev. 993 (2011).

Mark Hall

Presentations

- Gave talks about constitutional challenges to health care reform at Harvard, Duke, and Columbia universities.

Publications

- Not So Fast – Jurisdictional Barriers to the ACA Litigation, New Eng. J. Med.,
- Model Safety-Net Programs Could Care for the Uninsured at One-Half the Cost of Medicaid or Private Insurance, 20 Health Aff. 1698-1707 (Sept. 2011),
- Access to Care Provided by Better Safety Net Systems for the Uninsured: Measuring and Conceptualizing Adequacy, 68 Med. Care Res. & Rev. 441-461 (Aug. 2011).
- Commerce Clause Challenges to Health Care Reform, 159 U. Penn. L. Rev. 1825-1872 (2011).
- Getting to Universal Coverage with Better Safety-Net Programs for the Uninsured, 36 J. Health Politics Pol'y & L. 521-26 (2011).
- Risk Adjustment Under the Affordable Care Act: Issues and Options, 20 Kan. J. L. & Pub. Pol'y 222-36 (2011).

Gregory Parks published "Alpha Phi Alpha: A Legacy of Greatness, the Demands of Transcendence."

John Knox

Presentations

- "Strengths and Weaknesses of the UN Guiding Principles," Workshop on the UN Guiding Principles on Business and Human Rights, Kenan Institute for Ethics, Duke University, Durham, N.C., Dec. 12, 2011.
- "Transboundary Environmental Impact Assessment in North America," EPA National Advisory Committee, Austin, Texas, Oct. 20, 2011.
- "Environmental Rights in International Law," Roundtable on International Environmental Governance, University of Idaho College of Law, Coeur d'Alene, Idaho, April 27, 2011.

Publications

- Evaluating Citizen Petition Procedures: Lessons from an Analysis of the NAFTA Environmental Commission (David L. Markell), Texas International Law Journal (forthcoming 2012).
- The Ruggie Rules: Applying Human Rights Law to Corporations, in The UN Guiding Principles on Business and Human Rights (Radu Mares ed.) (2011).
- The Human Rights Council Endorses "Guiding Principles" for Corporations, 15 ASIL Insights 21 (August 2011).
- The Unpredictable Presumption Against Extraterritoriality, 40 Southwest Law Review 635 (2011).

Kate Mewhinney

Activities

- Speaker for a national webinar sponsored by the American Bar Association (ABA), entitled "Representing Seniors and Their Families: Pitfalls and Pointers."

Presentations

- At the National Aging and Law Institute, which met in Boston, on the topic: "Employment, Age, and Disability Discrimination." Program sponsors include the National Academy of Elder Law Attorneys, the ABA, the National Senior Citizens Law Center, and the AARP Litigation Foundation.

Publications

- Book chapter, "Geriatric Care: Elder Law in the Health Care Setting," with Eric J. Hardt, M.D., in Poverty, Health and Law: Readings and

JOHN KORZEN ('91)

Professor John Korzen ('91) developed a love for writing when he was a teenager, a love that eventually led him to the law and legal writing. Korzen, who heads the Appellate Advocacy Clinic and teaches Legal Writing, is an experienced appellate lawyer who joined the faculty in 2003.

"I have always liked to write and appeals really turn on good writing," he explained. "Most appeals these days are decided without oral argument, so a quality brief is crucial. Appeals are challenging and important. A successful appeal can create law governing a whole state or even the nation."

Korzen has been lead counsel in more than 70 appeals over the years, writing briefs and making oral arguments. Lately, however, he is more frequently "second chair" in appeals, supervising students on their briefs and oral arguments in federal and state appellate courts. Since 2007, 14 Wake Forest students have argued in a variety of appellate courts.

"I am more proud of the work of our 3Ls in the Appellate Advocacy Clinic than anything else in my legal career," Korzen said. He is especially pleased with the "firsts" of the Appellate Advocacy Clinic, including the first law student arguments in the North Carolina Court of Appeals and the North Carolina Industrial Commission. "I'm a big believer in experiential learning, and that's a role that law school clinics fill," he said.

This year the Appellate Advocacy Clinic is handling seven appeals in five different appellate jurisdictions. Professor George Walker started the law school's original Appellate Advocacy Clinic in the 1970s, and Korzen revived it in the 2006-07 school year. He describes working with law students as "a lot of fun. They are full of enthusiasm and energy."

Korzen became a Board Certified Specialist in Appellate Practice Law, a distinction recognized by the North Carolina State Bar Board of Legal Specialization in November 2011. The North Carolina State Bar certifies lawyers as specialists in designated practice areas as a service to the public, and 2011 was the first time that specialists were certified in the field of Appellate Practice. After satisfying the experience and peer-review requirements, Korzen had to pass a three-hour live exam with three essay and 30 multiple choice questions, and a one-week take home exam that required the rewriting of one section of a brief and the identification of rules violations and other errors in the rest of the brief. Korzen joins Clinical Professor Kate Mewhinney, who is a certified specialist in Elder Law, as Wake Forest faculty members who are certified as specialists by the North Carolina State Bar.

Korzen was a teacher and legal writer long before joining the faculty in 2003. From 1982 through 1988, he taught English and other subjects in the Winston-Salem/Forsyth County School System, in grades four though seven. Next came Wake Forest, where he was an Executive Editor of the Law Review, was active in Moot Court, and graduated from the law school cum laude. He then clerked on the Fourth Circuit for Chief Judge Sam J. Ervin III. "Clerking honed my research and writing skills," he explains, "and Judge Ervin was the best mentor imaginable."

Following his clerkship, Korzen practiced at Smith Helms Mulliss & Moore, LLP (now Smith Moore Leatherwood) in Greensboro for seven years. At Smith Helms, Korzen was fortunate to work closely with Jim Exum, a former Chief Justice of the North Carolina Supreme Court, in the firm's appellate practice group. Exum was another great mentor. Korzen continued to develop an appellate practice at a small firm in Kernersville for the next four years. Along the way,

he was also an adjunct professor of the Appellate Advocacy course for five years.

After his work with students in the Appellate Advocacy Clinic, Korzen is most proud of the fact that he has won reversals of more than 20 summary judgments or directed verdicts over the years. "During my clerkship days in 1991-92, I became convinced that judges take too many plaintiffs' cases away from the jury," he explains. "I have continued to feel that way during practice."

With his appellate and clerkship experience, it is no surprise that Korzen currently chairs both the faculty Moot Court advisers committee and the faculty judicial clerkship committee.

Korzen writes for pleasure in his spare time. He recently won first place in a writing contest by penning a play that a law school student and her husband starred in. Entitled "The Last First Date," the play was performed as part of a Text-to-Stage competition sponsored by the Winston-Salem Writers, an organization for area writers. Korzen asked Katie ('11) and J.D. Serfas, who were theater majors as undergraduates, to be readers when the play was performed on April 30, 2011. "Katie and J.D. did an amazing job of bringing the characters to life," Korzen said. "The audience was enthralled and showered them with praise afterwards."

Korzen lives in Kernersville with his wife, Catherine. They have three daughters.

Kate Mewhinney

Blake Morant

Cases for Medical-Legal Partnership. Elizabeth Tobin Tyler, ed. (2011) Carolina Academic Press.

Blake D. Morant

Appointments

- Appointed to serve a three-year term as a member of the American Association of Law Schools Executive Committee.

Presentations

- "Lawyers As Conservators: Justice, The Rule of Law and Sir Thomas More," Symposium; Michigan State University College of Law, Sept. 9, 2011.
- "Decanal Interface with Different Constituencies and Stakeholders," Promoting Diversity in Law School Leadership, Third Biennial Workshop, Seattle University School of Law, Sept. 24, 2011.

Joel Newman

Publications

- "Federal Income Taxation: Cases, Problems, and Materials," St. Paul, Minn.: West Group, 1998; 2nd Edition, 2002; 3rd Edition, 2005; 4th Edition, 2008; 5th Edition, 2011.
- Texas Law Review Dicta: "The Hunt for Looted Antiquities at the World's Richest Museum," By Jason Felchi and Ralph Frammolino. New York, New York: Houghton Mifflin Harcourt, 2011. 384 pages.
- "Taxation of Households: A Comparative Study" in St. Louis U. Law Journal 2011.
- Book Review of "Chasing Aphrodite: The Hunt for Looted Antiquities at the World's Richest Museum," Texas Law Review, 2011.

Media

- Quoted in an article for Tax Notes (2011).

Wendy Parker

Media

- Quoted in Associated Press story about school desegregation in Little Rock, Ark. (Sept. 19, 2011).
- Quoted in Wall Street Journal story about school desegregation in Little Rock, Ark. (June 16, 2011).

Publications

- The Failings of Education Reform and the Promise of Integration, 90 Texas Law Review 587 (2011).

Gregory Parks

Presentations

- "Belief, Truth, and Positive Organizational Deviance" at SEALS 2011 Junior-Senior Faculty Workshop, Wake Forest University School of Law.

Joel Newman

Wendy Parker

SIMONE ROSE

In academic and legal circles, Professor Simone Rose is renowned for her specialization in the intersection of patent law with biotechnology and stem cell research and the ethical issues that these topics present for lawyers and for society. What's not widely known is what led the intellectual property scholar to do this type of research in the first place.

Issues in biotech are in Rose's words, "so divisive, with both sides firmly entrenched. I have, since I began my research in the '90s, always been interested in the balance between access and innovation. Because the Constitution requires Congress to promote progress, by not only promoting innovation but also ensuring reasonable public access to creative expression and inventions, essentially all of society benefits."

An award-winning teacher, Rose is the recipient of the 2005 Joseph Branch Award for Excellence in Law Teaching. She is also very involved in the law school's Academic Success Program (ASP) program. Her teaching efforts extend beyond the law school. She is vice president of the Tri-City Relays/Project of T.E.A.C.H., which stands for "teaming education with athletics to create hope." Tri-City is a track-club that targets youth in under-served communities and includes tutoring programs and college tours to emphasize the necessity for high achievement in both athletics and academics.

"I come from generations of teachers," she explained. "My grandmother was an elementary school teacher and my father was a middle school teacher. It's in our blood."

Even when she was an engineer, Rose taught classes for the company she worked for at the time. Eighteen years into her teaching career, she has no regrets she didn't pursue a law partnership track instead. "Teaching has allowed me to learn more deeply about areas of IP and to engage students to help them become wonderful lawyers and counselors," she said.

Prior to teaching, Simone practiced with Foley & Lardner in Washington, D.C. As a former sales and applications engineer for General Electric in Baltimore, she is used to having both feet on either side of the issues she researches.

"In my early pieces, I looked at copyrights and patents to evaluate potential areas of access/innovation imbalance. Repeatedly, I encountered imbalances in the pharmaceutical and biotechnology fields. Often, it's balancing the right of the pharmaceutical/biotech companies to be compensated so that they will have an incentive to continue research against making sure the poor have timely access to innovative treatments."

Rose has suggested more than once that the Patent Act needs to be amended in light of the recent growth of biological research and personalized medicine, for example. "We need to decide what we in the U.S. should be doing to ensure public access to basic biological research and what we as the world should be doing on a global level," she said.

The most surprising thing that she has come across in her research is that there are lawyers and academics so firmly entrenched in the patent innovation model that they are unwilling to look at other paradigms. "They assume if we do anything other than patent it will hurt invention," she said. "Even judges interpret things in ways that promote patents. It's up to the rest of academics, nongovernmental organizations (NGOs) and a handful of lawyers to ask the difficult questions and push the interpretations of the law to facilitate change. Some people have to be voices in the wilderness and push for a different and more balanced paradigm."

Another challenge Rose is tackling is helping students who attend Wake Forest law school succeed through the

ASP.

"I have enjoyed working with Tracey (Coan) to develop a comprehensive ASP program that not only helps at-risk students but the student population as a whole," she said. "It makes for better classes and lawyers."

Rose has been involved in ASP since the late '90s. "When we started strengthening our program it was becoming a trend, but a lot of better law schools didn't have one," she said.

The original goal was to destigmatize the program and let every student who needed assistance with skills know that they could get help through ASP. Today the program includes test-taking seminars and study groups open to all students.

"Today we have a comprehensive Academic Success Program that provides a wide range of academic support, including Bar prep and assistance for those who fail the Bar," Rose explained. "There is something for everyone. I love helping students and working with ASP. We're trying to make a difference."

Around the halls of the Worrell Professional Center, Rose is also known for her fashion sense and unique style. She is married to defense attorney Mike Grace ('77). They have two scholar-athlete children: Taylor, who is a sophomore at Stanford University, and Michael, who is a junior at Yale University.

Gregory Parks

Kami Simmons

Publications

- Alpha Phi Alpha: A Legacy of Greatness, the Demands of Transcendence (edited with Stefan Bradley University Press of Kentucky).
- African-American Fraternities and Sororities: The Legacy and the Vision, second edition (edited with Tamara L. Brown & Clarenda M. Phillips, University Press of Kentucky, forthcoming 2012).
- "Race and the Right in the Age of Obama" (with Matthew W. Hughey, book manuscript under review).

Kami Simmons

Presentations

- Roundtable Discussion, "Eradicating Racial Bias in Our Criminal Justice System," NC Advocates for Justice Conference, Raleigh, N.C., Dec. 2, 2011, (Exhibit 26).
- Roundtable Discussion, "Scholarship from the Trenches: Contemporary Criminal Justice Policies That Impact People of Color," Southeastern Association of American Law Schools Annual Meeting, Hilton Head, S.C., July 25, 2011.

Publications

- Subverting Symbolism: The Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act and Cooperative Federalism(Forthcoming April 2012, American Criminal Law Review (Georgetown University Law School).
- Beginning to End Racial Profiling: Definitive Solutions to an Elusive Problem, (forthcoming, Washington and Lee School of Law Journal of Civil Rights and Social).
- Legitimacy and Law Enforcement in Minority Communities: A New Dialogue, Trial Briefs, N.C. Advocates for Justice Publication (October 2011).

Carol A. Turowski

Presentations

- "To Infinity and Beyond: Overcoming challenges in Teaching, Managing and Directing Innocence & Justice Clinic in Winston-Salem, N.C.," Clinical Education and the Pursuit of Social Justice, Southern Clinical Conference, March 16-17, 2012, University of Tennessee, Knoxville.
- Attended and participated in Wake Forest Law Review Fall Symposium, "Community Prosecution and Community Defense," Nov. 3, 2011, organized and moderated by Professor Ron Wright.

Carol Turowski

Steve Virgil

RON WRIGHT

It comes as no surprise that Professor Ron Wright is regarded in his field as one of the country's best-known criminal justice scholars.

What you may not know is that when he's not working on his research regarding criminal prosecutors or the North Carolina Racial Justice Act, you might find him strumming on a dobro. That's right, a dobro.

"I grew up in Georgia and heard a lot of bluegrass music there," he explains. "When I first started working at Wake Forest, my colleague Professor Jim Sizemore played an outstanding dobro, so his virtuosity inspired me to give it a try. It's fun for me, but that doesn't mean I'm any good at it."

The dobro isn't the only instrument Wright uses as a creative outlet. He has written several casebooks, but his latest has a new twist. His most recent criminal procedure book, published by Aspen, is now available as a SmartBook.

According to his colleague Professor Steve Nickles, "It's a new, innovative, and likely effective form of teaching materials. The technology almost matches Ron's own teaching innovativeness and is truly something worth seeing."

Essentially, SmartBook is a unique platform allowing a teacher to easily customize an Aspen book online; publish it online for students; and annotate his copy of the book throughout the semester with comments and interlineations that are magically embedded in his students' copies of the book. To some extent, a SmartBook is a book with its own social media capabilities.

Wright says he embarked on using the SmartBook technology because the way people learn is changing.

"I've tried various ways to use the web, multimedia, video calls, and other devices to get my students interacting with the professional world," he said. "The SmartBook technology is a promising new platform to customize materials for each set of students."

In fall 2011, he was the faculty adviser and a presenter for the Wake Forest Law Review's "Community Prosecution and Community Defense" symposium, which brought together legal scholars, policy leaders and practicing attorneys who offered a range of perspectives on "Community Prosecuting" and "Community Defense." The symposium focused on the connection between communities and the prosecutors and defense attorneys who work in those communities as well as the growth in the "community" organizational models for prosecutors.

But Wright's research efforts are not merely academic. He is a board member of the Prosecution and Racial Justice Project of the Vera Institute of Justice, and has been an adviser or board member for Families Against Mandatory Minimum Sentences (FAMM), North Carolina Prisoner Legal Services Inc., and the Winston-Salem Citizens' Police Review Board.

In October 2011, he began working with more than 20 Wake Forest law students and the Forsyth County District Attorney's office to oversee a major project. The goal was to review the files of more than 200 people charged with capital crimes to determine if race may have played a role in recommending the death penalty for some of those cases.

As part of this Racial Justice Act (RJA) litigation, prosecutors must explain the pattern of charging decisions in all their homicide cases over the past 10 years, relying on non-racial aggravating factors, such as the seriousness of the offense and the impact of the crime on the victim's family and community.

This requires a detailed review of homicide files from the police and prosecutors in the county over the past

10 years, and Wake Forest law school students were eager and ready for the challenge. Not only did the students summarize the factual and legal background for each case file, but they also helped to lighten the workload and free up valuable time for the attorneys at the District Attorney's office.

"I met with the students at the District Attorney's office for training, and then I was available as a resource when students had questions," Wright said.

Prior to joining the Wake Forest faculty in 1988, he was a trial attorney with the U.S. Department of Justice, prosecuting antitrust and other white-collar criminal cases. He earned his undergraduate degree from the college of William and Mary and his JD at Yale University. He served as executive associate dean for academic affairs at Wake Forest law school from July 2007 to June 2010. Wright and his wife, Amy, have two children, and he recently became a first-time grandfather.

This semester, Wright is interviewing prosecutors and public defenders in southern Arizona, hoping to learn more about how they develop good judgment, how they find role models, and how their offices create a culture of high expectations.

So far he has found that: "It makes a big impression on a young lawyer when a wiser and more experienced lawyer reaches out to offer some help, even before the younger lawyer asks."

George Walker

Ron Wright

Steve Virgil

Appointments

- Director, Institute for Public Engagement, Wake Forest University.

George K. Walker

Activities

- Participated in a meeting of the Members Consultative Group for the American Law Institute Project on the Restatement (Third), International Commercial Arbitration meeting in Philadelphia.
- Attended meeting of the International Law Association (American Branch) Executive Committee in New York City, N.Y.

Ronald F. Wright

Media

- "U.S. Prisoners Sentenced Under Strict Cocaine Laws," quoted in article for Christian Science Monitor, June 30, 2011.
- "Judge Rules Police Stop was Invalid," quoted in article for Winston-Salem Journal, July 4, 2011.
- "Sentencing Shift Gives New Leverage to Prosecutors," quoted in article for New York Times, Sept. 26, 2011.
- "Court to Consider Appeal of Murder Conviction Related to Officer's Death," quoted in article for Wilmington Star-News, Sept. 27, 2011.
- "Appeals Court Upholds Murder Conviction in Chase that Killed Officer," quoted in article for Wilmington Star-News, Oct. 17, 2011.
- "Foes of N.C. Death Penalty Law Press Case on Paroles," quoted in article for Associated Press, Dec. 3, 2011.

Presentations

- "The Dutch Prosecutorial Service and Community Prosecution," presentation for the Wake Forest Law Review Fall Symposium; November 2011 in Winston-Salem, N.C.
- "Religious Literacy and the Lawyer," presentation for the Voices of Our Times series at Wake Forest University; September 2011 in Winston-Salem, N.C.
- "Disclosure versus Command-and-Control as Regulatory Strategies for Prosecutor Behavior," presentation at annual meeting of the National Association of Sentencing Commissions; August 2011 in Portland, Ore.

Publications

- Padilla and the Delivery of Integrated Criminal Defense, 58 UCLA L. Rev. 1515 (2011).
- Reporting for Duty: The Universal Prosecutorial Accountability Puzzle and an Experimental Transparency Alternative, in Transnational Perspectives on Prosecutorial Power (Erik Luna and Marianne Wade eds.) (with Marc Miller).

1956

Frank P. Meadows is a partner with Poyner Spruill LLP in Rocky Mount, N.C. He has been named one of the Best Lawyers in America in tax law.

1963

Ralph A. Walker has served as a Superior Court judge, Court of Appeals judge and now as emergency judge, mediator and arbitrator. He has been appointed to serve on the N.C. Rules Review Commission and elected chair by its members.

1965

Jim Van Camp has practiced law in Moore County for more than 46 years and is with Van Camp Meacham & Newman PLLC in Pinehurst, N.C. He was elected chairperson of The Board of Law Examiners of the State of North Carolina. He was elected to the board by the N.C. State Bar Council and has been a member for six years.

1967

John C. Martin is North Carolina's chief appeals judge and serves as chairman of the N.C. Judicial Standards Commission. He was selected to serve as secretary-treasurer of the National Council of Chief Judges.

Frank Meadows

David Zacks

David M. Zacks is with Kilpatrick Townsend & Stockton LLP in Atlanta. He has been named one of the Best Lawyers in America.

ALUMNI BRIEFS

Triad Alumni Reception

Triad law school alumni returned to campus to network and hear from Professor Timothy Davis and WFU Assistant Director for Compliance Dr. Todd Hairston regarding their new course, "NCAA Rules, Compliance, and Enforcement." This discussion came on the heels of the Pennsylvania State University accusations and provided lively discussion on how the NCAA should be involved in that case.

New York Young Alumni Breakfast

Led by Young Alumni Board members Chris Greco ('06) and Kristin Garris ('08), young alumni from the New York area gathered together to discuss ways to increase the presence of Wake Forest School of Law in that area. The breakfast was Oct. 11, 2011, at Kirkland & Ellis, and was just one of many young alumni events that will take place to bring alumni together.

Atlanta Young Alumni Breakfast

On Dec. 6, 2011, more than 20 law school young alumni gathered for breakfast at Hunton & Williams, where they heard from Scott Burton ('86), an attorney with Sutherland, Asbill & Brennan, and Bob Graff ('82), partner and Global Practice manager with Major, Lindsey & Africa. Scott and Bob discussed, as in-house counsel, how people in that area prefer to work with outside counsel and how interested alumni should go about securing a job as in-house counsel. Led by Young Alumni Board members Jessie Cohan ('06), Alex Reyes ('09), and Brandon Van Balen ('02), this was the first young alumni event in Atlanta for law alumni. A happy hour was held Feb. 23. Please visit http://alumni.law.wfu.edu/category/events/ for upcoming events.

Winston-Salem Open

The first Winston-Salem Open was held Aug. 26-27, 2011, and several law alumni took advantage of the premiere event. Alumni gathered at RayLen Vineyards for a wine reception on Friday evening followed by a faculty panel discussion at Graylyn on Saturday morning. Panelists included professors Jonathan Cardi, Mike Green, Mark Hall, Tanya Marsh, Alan Palmiter, Ralph Peeples, Charley Rose and Sid Shapiro.

Partners' Gala

The 39th Annual Partners' Gala was held Dec. 2, 2011, at Bridger Field House. Richard Soultanian ('93), co-president of NUS Consulting, was the featured speaker and shared his thoughts on how important education is and how his law school education has made him the professional he is today. Donors and volunteers were recognized at this annual event. Thank you to Joe and Joyce Neely ('75) for providing the wine for the evening.

Robert Stephens

Carl Hibbert

Bill Cherry

Dan Taylor

Susie Gibbons

Gary Joyner

1970

Mike Lewis is senior partner of Mike Lewis Attorneys in Winston-Salem. He has been named a Best Lawyer for the 16th consecutive year, one of the Top 100 N.C. Trial Lawyers and a N.C. Super Lawyer. U.S. News and World Report recognized his firm for the third year as a First-Tier Best Law Firm in personal injury and eminent domain.

Robert C. Stephens is a partner at Hamilton Stephens Steele & Martin PLLC in Charlotte, N.C. He has been named Best Lawyers Charlotte Construction Law Lawyer of the Year.

1972

Charles J. Alexander II has opened a new law firm, Alexander and Cannon, in Winston-Salem, N.C.

Carl W. Hibbert is with Kilpatrick Townsend & Stockton LLP in Winston-Salem. He has been named one of the Best Lawyers in America.

1974

Roger T. Haley has been designated presiding judge, Municipal Courts for Vicinage 7 (Mercer County, N.J.). He continues as presiding judge of the Ewing Township Municipal Court.

1975

William S. Cherry Jr. is a partner with Poyner Spruill LLP in Raleigh, N.C. He has been named one of the Best Lawyers in America in banking and finance, financial services and real estate law and Best Lawyers Raleigh Banking and Finance Law Lawyer of the Year.

1976

Daniel R. Taylor Jr. is with Kilpatrick Townsend & Stockton LLP in Winston-Salem. He has been named one of the Best Lawyers in America.

1977

James K. Dorsett III is a partner with Smith Anderson Blount Dorsett Mitchell & Jernigan LLP in Raleigh, N.C. He presided over the 20th anniversary meeting of the N.C. Supreme Court Historical Society.

Robert Stamps lives in Arlington, Va., and consults with small businesses on federal contracts and grants. He won first prize in the N.C. State Bar's Annual Fiction Writing Competition for his swashbuckling tale of daring on the high seas, "Blackbeard's Last Raid," published in the Fall 2011 N.C. Bar Journal.

1980

Howard L. Borum is with Carruthers & Roth PA in Greensboro, N.C. He has been named one of the Best Lawyers in America in land use, zoning and real estate law.

1981

Susanna Knutson Gibbons is a partner with Poyner Spruill LLP in Raleigh, N.C. She has been named one of the Best Lawyers in America in labor and employment law.

1982

Gary K. Joyner is with Kilpatrick Townsend & Stockton LLP in Raleigh, N.C. He has been named one of the Best Lawyers in America in real estate law.

1984

J. Stanley Atwell is with Carruthers & Roth PA in Greensboro, N.C. He has been named one of the Best Lawyers in America in trusts and estate law.

Stephen R. Berlin is with Kilpatrick Townsend & Stockton LLP in Winston-Salem. He has been named one of the Best Lawyers in America in environmental law and one of Triad Business Journal's Most Influential leaders.

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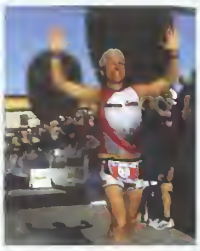
Steve Berlin

David Smith


David Daggett

Cliff Barrett

Randall Avram

Nick Ellis

John J. Carpenter is a partner with Culp Elliott & Carpenter PLLC in Charlotte, N.C. He has been named one of the Best Lawyers in America in litigation and controversy. He was also selected a Charlotte magazine Five Star Wealth Manager, a N.C. Super Lawyer in tax law and one of Business North Carolina's Legal Elite.

David C. Smith is with Kilpatrick Townsend & Stockton LLP in Winston-Salem, N.C. He has been named one of the Best Lawyers in America in commercial litigation.

1985

J. Dennis Bailey is with Carruthers & Bailey PA in Greensboro, N.C. He has been named the Greensboro Best Lawyers Personal Injury Litigation Lawyer of the Year.

David D. Daggett is with Daggett Shuler in Winston-Salem, N.C. He completed his sixth Hawaii Ironman World Triathlon Championship and gave a speech, "The Four Anchors — A Balanced Life for Fulfillment and Satisfaction," to the Kona Executives Association in Kailua-Kona, Hawaii.

Peter M. Jennings and three law alumni, **Cliff Barrett, Pete Blaetz** and **Dave Powell**, teamed up to win the 2011 R.L. Brown Memorial Golf Tournament in Bermuda Run during Wake Forest's Homecoming Weekend 2011. They shot a team score of 53 and photographed team captain and MVP Barrett with the trophy.

1986

Randall D. Avram is with Kilpatrick Townsend & Stockton LLP in Raleigh, N.C. He has been named one of the Best Lawyers in America.

J. Nicholas Ellis is a partner with Poyner Spruill LLP in Rocky Mount, N.C. He has been named one of the Best Lawyers in America in bet-the-company, commercial, municipal and real estate litigation.

David R. Fricke is a partner with Poyner Spruill LLP in Raleigh, N.C. He has been named one of the Best Lawyers in America in real estate law.

Elizabeth M. Repetti is with Bell Davis & Pitt PA in Winston-Salem, N.C. She has been named one of the Best Lawyers in America in bankruptcy litigation.

1987

Gregg E. McDougal is with Kilpatrick Townsend & Stockton LLP in Raleigh, N.C. He has been named one of the Best Lawyers in America in commercial litigation.

Susan Sparks is senior pastor of Madison Avenue Baptist Church in New York City. She says she is the "only female stand-up comedian in the country with a pulpit." She is the author of "Laugh Your Way to Grace: Reclaiming the Spiritual Power of Humor."

1988

Sandra S. Hamilton is a member of the litigation practice group of Clark Hill PLC in Grand Rapids, Mich.

Carl Salisbury is with Kilpatrick Townsend & Stockton LLP in New York. He has been named one of the Best Lawyers in America in insurance law.

1989

Michael W. Mitchell is a partner with Smith Anderson Blount Dorsett Mitchell & Jernigan LLP in Raleigh, N.C. He has been named one of the Best Lawyers in America.

1990

Bryan Adams is a partner with Van

David Fricke

Greg McDougal

Sandra Hamilton

Carl Salisbury

Joseph Dempster

Julie Bell

Diana Palecek

Steve Gardner

Griffis Shuler

Joe Zeszotarski

Hoy Reutlinger Adams & Dunn PLLC in Charlotte, N.C. He has been named one of the Best Lawyers in America. He and his wife, Meg, and sons, George (15) and Charles (12), live in Charlotte.

Joseph B. Dempster Jr. is a managing partner with Poyner Spruill LLP in Raleigh, N.C. He has been named one of the Best Lawyers in America in corporate and real estate law.

1991

Julie L. Bell is a partner with Daggett Shuler in Winston-Salem, N.C. She has been elected to the Board of Governors of the N.C. Advocates for Justice.

1992

Diana Palecek is with Smith Moore Leatherwood LLP in Charlotte, N.C. She received the Women Extraordinaire Award from Charlotte Business Leader.

1994

Steven Gardner is with Kilpatrick Townsend & Stockton LLP in Winston-Salem, N.C. He has been named one of the Best Lawyers in America in intellectual property and patent litigation and patent law.

Michelle Clifton

Mark Boynton

Griffis C. Shuler is with Daggett Shuler in Winston-Salem, N.C. He is vice chair of the N.C. Bar Association's Workers' Compensation Section Council and is serving a second term as chair of the Medico-Legal Liaison Committee.

Joseph E. Zeszotarski is a partner with Poyner Spruill LLP in Raleigh, N.C. He has been named one of the Best Lawyers in America in criminal defense.

1995

Christopher R. Clifton is a partner with Grace Tisdale & Clifton PA in Winston-Salem, N.C. Gov. Bev Perdue has appointed him to a three-year term on the N.C. Sentencing and Policy Advisory Commission.

Michelle Bowden Clifton is a partner with Grace Tisdale & Clifton PA in Winston-Salem, N.C. She wrote a chapter and co-edited a general handbook for the state of North Carolina, "Personal Injury Practice in North Carolina."

1996

David Elliott Inabinett is a managing member of Brinkley Walser PLLC in Lexington, N.C. He has been named one of the Best Lawyers in America in elder law.

1997

Mark Boynton is with Kilpatrick Townsend & Stockton LLP in Winston-Salem, N.C. He has been named one of the Best Lawyers in America in construction litigation.

Rebecca B. Wofford is an assistant professor at the Charlotte School of Law. She and her husband, **Hunt ('96)**, and their two children, Sam (8) and Cate (6), live in Charlotte, N.C. She has launched a program to provide school lunches to help children in Tanzania.

1998

Carter Cook is associate counsel in the legal department at Wake Forest. He has played the piano for 34 years and recorded 12 instrumental hymn arrangements on the CD "Sundays in Belvedere." Profits are donated to faith-based charities working to fight poverty.

1999

Ryo Kawamura (LLM) is a senior legal adviser for Ube Industries (UBE). He served as legal counsel with UBE and Amperex Technology Limited (ATL) to license several UBE-owned patents on lithium-ion rechargeable batteries and electrolytes to ATL. He has been appointed legal counsel for UBE's joint venture with Dow Chemical Co.

Jeffrey Phillips

Megan Sadler

Ted Shipley

Molly Whitlatch

2000

Brian J. Chapuran is chief, Contract and Fiscal Law Division, Office of the Staff Judge Advocate, United States Forces — Iraq. He will remain in Iraq after U.S. force withdrawal as legal adviser, Office Security Corporation — Iraq under the U.S. Embassy in Baghdad.

Drew Henderson Davis is counsel at Spilman Thomas & Battle PLLC in Winston-Salem, N.C. His practice focuses on employment and education law.

2001

Craig A. Taylor is with Carruthers & Roth PA in Greensboro, N.C. He has been named one of N.C. Lawyers Weekly's Leaders in the Law.

2002

Kellie Caggiano's husband, Steven, passed away suddenly in October. She and their three children, Jack (6), Samantha (3) and Caroline (9 months), live in Tallahassee, Fla.

2003

Gerry C. Coggin II has started Coggin Law PLLC, focusing on family law and domestic relations, in Charlotte, N.C.

Scott R. Eldridge is with Miller Canfield in Lansing, Mich. He has been named Lansing's Favorite Lawyer by the People's Choice Awards in Lansing Community News.

Sun-Hee Park (LLM) is an attorney with Bae Kim & Lee LLC in Seoul, Korea.

Jeffrey W. Phillips is an attorney with Kellum Law Firm in New Bern, N.C. He received accreditation for the preparation, presentation and prosecution of claims for veterans' benefits.

2004

J.T. Herber III is a partner practicing litigation with Williamson Friedberg & Jones LLC in Pottsville, Pa. He is also a part-time assistant district attorney for Schuylkill County.

Manuel Moctezuma (LLM) published an article in the Energy Litigation Journal of the American Bar Association.

Ryan Rhodenhiser is a member of Siegel & Rhodenhiser PLLC in Wilmington, N.C. His practice areas are real estate transactions and development and business representation.

Megan Sadler has been named a member at Wishart Norris Henninger & Pittman PA in Charlotte, N.C. Her practice focuses on commercial litigation.

Ted Shipley has joined the real estate practice group of Smith Moore Leatherwood LLP in Wilmington, N.C.

2005

Katie Foster Fowler is a family law specialist and partner with Morrow Porter Vermitsky & Fowler PLLC in Winston-Salem. She has been named a Rising Star by Super Lawyers.

Hiroshi Kishimoto (LLM) is team leader of legal affairs at Dainippon Sumitomo Pharmaceuticals, a subsidiary of Sumitomo Chemical Co., in Osaka, Japan.

Molly Orndorff Whitlatch has been named a partner with Wishart Norris Henninger & Pittman PA where she practices commercial and estate litigation. She is president of the board of directors for Family Abuse Services of Alamance County. She and her husband, Jonathan, live in Burlington, N.C.

2006

Helen Jugovic owns The Law Offices of Helen Jugovic PA in Wilmington, N.C. She is a N.C. certified specialist in immigration law and a writer of "Consultando la Abogada," a newspaper column for immigration questions and answers in Latino Sport.

2007

Valeria R. Cometto is the employment and Latin America counsel with YKK Corporation of America in Marietta, Ga.

2008

Youssef Alblihid (LLM) is manager of the legal advice and opinions department at Capital Market Authority in Riyadh, Saudi Arabia.

Abdullah Alshehry (LLM) is pursuing a Doctor of Juridical Science (SJD) at the Wake Forest University School of Law.

CASSANDRA CHING ('06)

Cassandra Ching ('06) is Senior Counsel, Business and Legal Affairs, Content Distribution for the Music Group at MTV Networks in New York City.

Tell us about your job at MTV. What are your responsibilities, and how did your career path land you there?
I negotiate and draft contracts for domestic and international content distribution and acquisition deals in connection with programs on MTV, VH1, CMT and Logo. I started my practice at a private law firm specializing in intellectual property, entertainment and commercial law, and I had wonderful mentors along the way who were very inspirational.

I always make sure to be a sponge, absorbing any and all information and experiences from my peers and mentors. There's always room to grow in my profession, which keeps my job interesting. I've always believed that hard work, dedication, a good attitude and a pinch of luck will get you where you want to be in life.

What kind of challenges and rewards are associated with being a legal professional in the music/entertainment industry?
You are placed in a role with a lot of responsibility as people look to you for answers that oftentimes require creative, efficient and practical legal solutions. I derive deep satisfaction when clients personally express their gratitude and appreciation for my legal assistance. It's great to hear positive feedback and knowing that you've helped someone else.

Looking back on your time at the School of Law, was there a particular professor or course that influenced your career path?
Professor Simone Rose was my law professor and has been my mentor throughout the years. I took her course on Intellectual Property/Copyright/Trademark Law. I still enjoy discussing hot legal topics with Professor Rose and sharing our various perspectives on current IP issues.

What are your interests outside work?
I enjoy creative writing. I write for Organice Your Life magazine and blog headed by top model Lonneke Engel, which focuses on health, wellness and nutrition. The OYL team consists of models, celebrities and other top fashion and entertainment insiders who write to inspire others. I also enjoy taking time to participate in nonprofit organizations such as VH1 Save the Music Foundation, which is dedicated to restoring instrumental music educational programs in public schools; and the Apollo Theatre Foundation, which is dedicated to the preservation and development of the legendary Apollo Theatre, cultivating the advancement of emerging creative voices across cultural and artistic media.

Do you ever have to "escape" the city for some quiet time?
I love NYC because you can do anything you want even if you are looking for some "quiet" time. The city has great places to escape from the daily hustle and bustle such as Central Park, museums, flea markets, movie theatres, driving ranges, tennis courts, restaurants and coffee shops. It's also fun and relaxing to take day trips or weekend trips to nearby beaches during the summer and the mountains for skiing during the winter.

This story was previously published in Wake Forest Magazine's online edition.

Shuya Wang (LLM) is a manager of the intellectual property department at Rouse & Co. International in Shanghai, China.

2009

Brooks Hanner clerked for a year with Chief Judge Louise Wood Flanagan in the Eastern District of North Carolina. She is a litigation associate at Hogan Lovells U.S. LLP in Washington, D.C.

Martin Rinscheid (LLM) is completing his residency in the media, IP and IT department with Noer LLP in Germany.

Ruilu Wang (LLM, JD '11) is a junior attorney with Kasen Law Firm PLLC in New York dealing with immigration, civil and criminal law.

2010

Laura Dildine taught for six years at East Forsyth High School in Winston-Salem, N.C. and served as clerk for the U.S. District Court for the N.C. Middle District. She is an associate in the litigation practice group at Smith Moore Leatherwood LLP in Greensboro, N.C.

Christian Fuehner (LLM) has an internship in the intellectual property department of Hengeler Mueller in Berlin.

Ana-Cris Jiménez is an associate attorney with The Kirby Law Firm in Clinton, N.C.

2011

Ahmed Alqurashi (LLM) is pursuing a Doctor of Juridical Science (SJD) at the Wake Forest University School of Law.

Liubov Ebralidze (LLM) is an intern at the U.S. Industry Coalition in Washington, D.C.

Olivett Ihama (LLM) passed the N.Y. State Bar examination. She is studying the Legal Practice Course at the College of Law in Bristol, England.

Sunghee Kim (LLM) is pursuing a second LLM from George Washington University.

Gary Shane Shumard is assistant public defender in the Office of the Public Defender, Fourth Judicial

YOUNG ALUMNI BOARD FORMS

Twenty-seven law school young alumni have made the commitment to the law school and formed a Young Alumni Board to increase the leadership and young alumni presence at the law school. Several young alumni events have been held or are planned for Atlanta, Charlotte, Chicago, Greensboro, New York, Washington, D.C., Raleigh and Winston-Salem. Please be on the lookout for ways to become engaged with this group and if you are interested in more information, please contact Jennifer Hudson, assistant director of alumni relations at hudsonjs@wfu.edu. Members include:

Jon Anderson ('08) Raleigh
Tadelro Brown ('03) Winston-Salem
Brandon Barnes ('09) Washington D.C.
Shauna Barnes ('10) Washington D.C.
Linda Baugher ('07) Greensboro
Jessica Cohan ('06) Atlanta
Richard Dietz ('02) Winston-Salem
Laura Dildine ('10) Greensboro
Heather W. Forshey ('06) Raleigh
Kristin Garris ('08) New York – Vice Chair
Chris Greco ('07) New York
Stephanie Greer-Fulcher ('05) Charlotte
Kenneth Imo ('02) Washington D.C. – Chair
John Johnson ('08) Charlotte
Meredith Jones ('09) Atlanta
Jerry Liska ('07) Belmont
J. Carr McLamb ('07) Raleigh
Rich McPherson ('10) Charlotte
Ellen Murphy ('02) Winston-Salem
Alex Reyes ('09) Atlanta
J. Neal Robbins ('07) Winston-Salem
Kevin Rust ('06) Raleigh
Natalie Scruton ('10) Chicago
Brett Shumate ('06) Washington D.C.
E. Bardin Simmons ('03) Raleigh
Brandon Van Balen ('02) Atlanta
Whitney Wallace ('08) Charlotte

STEWARDSHIP SPOTLIGHT: MARILYN FORBES ('81)

To Marilyn Forbes ('81), the law is never a dull recitation of facts and precedents. It's a window into other worlds.

Her fascination with the human dramas that play out in every courtroom began the summer that she served as a law clerk for North Carolina's Middle District Judge Hiram Ward. "That summer when I watched trials, I was awestruck," she said. "Instead of the dry appellate record, there were these amazing people's stories. And that might just be the jurors. I liked the unpredictability of what people would say."

Forbes is now a partner with Womble Carlyle Sandridge and Rice in Raleigh, where she leads a products liability litigation team that defends products cases around the country. She has been with the firm since 1985.

Her attachment to Wake Forest University School of Law runs deep. She serves on the Board of Visitors and she has been a major contributor to the planned transformation of the Worrell Professional Center following the Schools of Business move into Farrell Hall. Forbes' gift will create a terrace on the front of the law school which will be named the Barkley Forbes Boardroom Terrace. The terrace honors both sides of her family for their commitment to education.

Forbes was inspired by her seventh-grade civics teacher to pursue public service. After graduating from Pennsylvania State University, she served as a VISTA volunteer in Kentucky, where she worked with Kentucky Legal Services helping lawyers represent people with black lung disease. "I loved it," she said. "The idea that you could make significant changes with the law was inspiring."

That experience cemented her desire to go to law school. She chose Wake Forest for its small class size, and the chance to develop close relationships with students and faculty. One of her fondest memories of law school is driving around in her old yellow Mercury Capri listening to cassette tapes from Professor Charley Rose critiquing her writing. Instead of a red pen, Rose used the tapes to deliver his evaluations of students' work in his legal writing class. The car was the only place Forbes had access to a cassette player.

Forbes was a fantastic storyteller, Rose said, and she has a great sense of humor that helps her connect with all types of people. "She has great insight," he said. "She has a way of transforming complicated legal issues into a very practical, commonsense context."

Forbes is also a quick study, he said. "Give her a railroad case on Friday and she can be an expert on Monday," Rose said. "She has a wonderful talent for turning details into something that's understandable and interesting."

After graduation, Forbes worked as a law clerk for Magistrate Judge Alexander Denson in the Eastern District of U.S. District Court, where her love of trials continued. She was often fascinated by the contradictory viewpoints in each case. "I would read the plaintiff's side and would think that was the way to go," she said. "Then I'd read the other side and think, 'That's it.'"

She said that she is grateful to Wake Forest for giving her a career that has offered her endless challenge, variety, and yes, stories. "I've never been bored as a lawyer," she said. "I've been overwhelmed, frazzled and terrified. But never bored."

Circuit of Florida, assigned to the Misdemeanor Unit in the Duval County Office in Jacksonville, Fla. He was assigned to the Courtroom of Duval County Judge **Dawn K. Hudson ('99)**.

Rasha Subuh (LLM) is an intern in the legal department at the Al-Sadeel Institution in Bethlehem, Palestine. She is a registered/licensed legal translator at the Ministry of Justice.

MARRIAGES

Jennifer Harris ('08) and Gerald C. Burnett Jr. 6/10/11

BIRTHS/ADOPTIONS

Robert Page Bruner ('03) and K. Brooke Eichelberger Bruner, Birmingham, AL: a daughter, Katherine Logan. 6/24/11. She joins her sister, Carolina (3).

Catherine Caniglia Manofsky ('03) and Matthew Manofsky, Crofton, Md.: twin daughters, Emily Patricia and Grace Christine. 6/18/11. They join their sister, Sophia Ann (2).

Tomoko Nakajima (LLM '03) and Michael Britton, Alexandria, Va.: a son, Mirabel. 8/30/11

Angelo Bagnarosa (LLM '04) and Olivia Bagnarosa, Paris: a daughter, Gioia. 9/23/11

Amie Keeling Girard ('04) and Sean Girard, Charlotte, N.C.: twin sons, Jacob David and Caleb Joseph. 7/6/11. They join their brother, Eli (3).

J.T. Herber III ('04) and Leigh Herber, Pine Grove, Pa.: a daughter, Carolina Jane. 11/1/11

Katherine Lyons Murzenski ('04) and Steven Murzenski, Long Valley, N.J.: a son, Daniel. 5/5/11. He joins his brother, William (2). Daniel was born in New Jersey 13 hours before the daughter, Vivienne, of **Carter Wilkinson ('04)** and **Andrea Gevas ('04)** in Virginia. Kate and Andrea were in touch during pregnancy and labor.

Heather Honeycutt Filliben ('08) and **Jamie Filliben ('09)**, Winston-Salem: a son, Ford Holden. 3/18/11

DEATHS

Sarah Greason Callaghan ('35), July 7, 2011, Chevy Chase, Md. She was a law clerk to Chief Justice Gregory of the Virginia Supreme Court. Callaghan retired as senior attorney and legal counsel with the Federal Reserve Board in Washington, D.C. She was preceded in death by her brothers: **Murray C. Greason Sr. (LLS '26)**, Herbert Redfern Greason and Edward H. Greason. She is survived by two sons; a stepson; five grandchildren; nine great-grandchildren; and nieces and nephews including **Murray C. Greason Jr. ('62)**.

John Jay Burney Jr. ('51), April 10, 2010, Wilmington, N.C. He served in the U.S. Army during World War II and had a law partnership, McClelland & Burney, in Wilmington, N.C. He was a district attorney and served three terms in the N.C. Senate. The Burney Student Support Center at UNC Wilmington was named in his honor. He was inducted into the N.C. Bar Association's General Practice Hall of Fame. In 2002 the N.C. Board of Transportation named a portion of US 17 Bypass the John Jay Burney Jr. Freeway for his outstanding lifetime of service. He is survived by his wife, Catherine "Betty" Evans Burney, three children, four grandchildren, a great-granddaughter and a brother, **Louis A. Burney ('59)**.

NEW COMMITTEE CHAIRS NAMED TO THE LAW BOARD OF VISITORS

The Law Board of Visitors Chair Tom Comerford ('74) and Chair-elect Lee Davis ('77) led the fall meeting on Oct. 20-21, which included a reception in the Professional Center Library and a presentation by Professor Steve Nickles on the law school's new virtual courses.

New board committee chairs were announced. Serving as chairs are Jim Pendergrass ('86), Clinics Commitee; Dan Monaco ('81), Admissions/Marketing Committee; Lee Davis ('77), Development Committee; and Bettie Sousa ('81), Program of Legal Education.

Derb Stancil Carter ('51), Aug. 8, 2011, Hope Mills, N.C. He served in the U.S. Navy and was a retired chief district court judge.

Albert Bernice Russ Jr. ('55), Aug. 22, 2011, Jacksonville, Fla. He served in the U.S. Navy. Russ was counsel for CSX Railroad for more than 30 years and retired in 1985.

Melvin Randall Head ('56), Oct. 15, 2011, Wytheville, Va. He served in the U.S. Army during the Korean War. Head was a civilian lawyer in the Quartermaster General Office for five years and retired in 1988 as assistant chief counsel for procurement with the U.S. Army Corps of Engineers in Washington, D.C.

John Marshall Haywood ('59), Sept. 9, 2011, Charlotte, N.C. He served in the U.S. Army. Haywood received a master's in legal accounting from New York University. He served as solicitor for the Charlotte City Court and had a private law practice until 1994.

James Monroe Yelton Jr. ('60), Feb. 22, 2011, Johnson City, Tenn.

Alfred Armstrong McNamee ('61), Oct. 10, 2011, St. Petersburg, Fla. He was a retired U.S. Army colonel and a Vietnam War veteran, having served as an officer, a member of the Special Forces and the JAG Corps. After McNamee retired he worked in the Florida State Attorney Office and the Palm Beach County Sheriff Department.

Rodney R. Goodman ('72), Sept. 11, 2011, Kinston, N.C. He served in the U.S. Army. Goodman served the N.C. 8th Judicial District for more than 30 years as district attorney, district court judge and chief district court judge until his retirement in 2001. His awards included the N.C. Order of the Long Leaf Pine and the N.C. Advocates for Justice Lifetime Achievement Award.

Daniel D. Khoury ('76), Sept. 7, 2011, Manteo, N.C. He was a former partner with Aldridge Seawell & Khoury. He was a partner in the firm of Vandeventer Black and served as attorney for the Town of Manteo for 18 years.

Bill Irvin Long Jr. ('89), Oct. 20, 2011, Winston-Salem. He was a partner with Bolton & Long PA in Greensboro, N.C. Long is survived by his wife of 33 years, Sherry Wood Long, an academic counselor at Wake Forest, and a daughter, Jessica.

Robert C. Broderick Jr. ('90), July 27, 2011, Winchester, Mass. He is survived by his wife, Julie, and daughter, Fiona Siobhan (7).

Michael John Evers ('94), Sept. 11, 2011, Brookfield, Ill. He died in a motorcycle accident. He served in the U.S. Navy and was a psychiatric technician at Humboldt County Mental Health Services. After receiving his law degree, Evers became a partner with Elfenbaum Evers & Amarilio in Chicago. He received the NAACP President's Award.

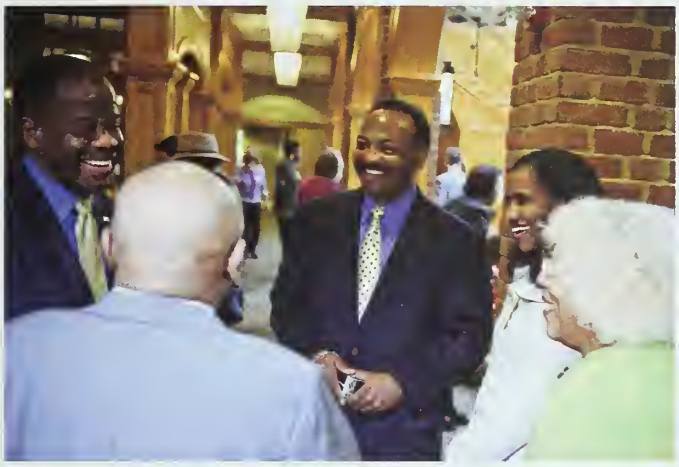
Why Make a Gift to the Wake Forest School of Law?

Every Wake Forest law student has benefited from the philanthropy of others. Tuition covers only about 66 percent of the cost of a law student's education at Wake Forest; gifts from alumni and friends have made up the difference since the beginning of the Wake Forest law school. Scholarships exist because of the generosity of individuals like you.

To make a gift, please visit:
http://giving.wfu.edu/

PHOTO GALLERY

Since September, the law school has held alumni receptions in the Triad, Atlanta and New York City and reunions for the classes of '60, '61, '81 and '86, along with a first-ever reunion of the Black Law Students Association.



RICHARD D. SOULTANIAN ('93)

Richard D. Soultanian ('93) is co-president of NUS Consulting Group, one of the world's largest energy management consulting firms, and a regular contributor on CNBC, Fox Business News and other news outlets where he speaks on energy-related topics. He was the keynote speaker at the 2011 annual alumni Partners Gala.

After gradution from Wake Forest law school, Soultanian attended New York University where he secured an LLM in Tax. Upon graduating, he was recruited by Mudge Rose Guthrie Alexander & Ferdon and took a position as a tax associate. After roughly two years with Mudge Rose, Soultanian was recruited by Rogers & Wells.

During the recruiting process, Soultanian was alarmed to hear that the hiring committee found a problem – or what was perceived as a problem. Soultanian was told, "You went to Wake Forest. We've never hired anyone from Wake Forest. We will have to see how we work with this."

Rogers & Wells ultimately hired Soultanian as a tax associate where he worked on international mergers and acquisitions, structured finance, international financial products, and offshore financing vehicles.

A couple of years later Soultanian was once again approached by another law firm – a boutique focusing on international transactions – and ultimately made the switch.

"When I left Rogers they were a bit upset," Soultanian recalls, "they really wanted me to stay. I guess that says a lot about my education and preparation."

Soultanian's family immigrated to the United States in 1956. The family had little, but asked for nothing. His father, Sarkis Soultanian, found a job delivering mail for NUS Consulting Group working for the founder Theodore E. Maynard. After putting himself through college at night, Soultanian's father stayed with the company for 40-plus years helping the founder build it into an international powerhouse. His father ultimately ended up purchasing the business.

"You didn't say no to my father," said Richard, who currently runs the business with his brother Gary. At the age of 17 Soultanian remembers spending summers commuting into New York City to work by his father's side. A year later he was sent to London during the summers to learn other aspects of the business.

"This was my training, posting utility bills from all over the

world during my summer breaks," Soultanian said.

Soultanian graduated magna cum laude from Bucknell University in 1989 with a bachelor's of science in mathematics. The day after graduating from Bucknell, he left to spend 2-1/2 months touring Eastern Europe with a group of other graduating students. Soultanian said, "We visited East Germany, Hungary, Czechoslovakia, Poland, Yugoslavia, Bulgaria and Romania. The poverty and despair at the time were overwhelming."

Upon returning to the U.S. he began to look for work. After several inquiries, Soultanian got a position as a research analyst with Salomon Brothers following the oil equities and having the opportunity to work for Bob Salomon and Henry Kaufman. At Salomon Brothers, Soultanian discovered he didn't just want to research companies and transactions but be intimately involved and, consequently, applied to Wake Forest School of Law.

"Don't be afraid to be different."

After Richard graduated from law school, Sarkis wanted his son to serve as general counsel to the company. But Soultanian declined, reasoning that he had yet to commence the practice of law and wanted to build his own career. In his last legal position at tax boutique Goodman Phillips & Vineberg, Soultanian was being recruited by the Treasury Department under the Clinton administration. During the recruitment process, Soultanian's father passed away and he was needed to run the family business.

"My father's death was sudden and unexpected," Soultanian said. "He died at the age of 57." The day after burying his father, Soultanian boarded a plane to meet with the senior managers of the company and to allay their fears concerning the future.

Today NUS Consulting Group employs more than 375 professionals around the world and maintains offices throughout North America, Europe, Africa and Australia. Soultanian is currently driving hard to expand into South America and Asia. The company provides services to energy intensive businesses including global manufacturers, retailers and technology companies.

In a talk last spring with Wake Forest law students, Soultanian explained, "We do business with large multinationals everywhere. Everything you touch has some sort of energy component to it."

Whatever students do, Soultanian advised, whatever aspect of law they choose as their specialty, they should do it as well as they can, and do it with a positive attitude while always working to expand their skill set.

"Don't look at law school as the end. Don't look at the bar exam as the end. It's really the beginning," says Soultanian. He also advised them not to let their environment change who they are.

And do not get pigeon holed, Soultanian warned.

"The world is full of labels and it's very easy to label, quite frankly. Whatever you do after Wake Forest, private practice or business, you should continue to pursue and try to learn about other things so people see that in you, so that you keep sort of a multi-faceted interior."

Differentiating oneself from the pack is crucial.

Soultanian told students to ask themselves, "How are you different, what separates you? How on that one sheet of paper, because that's your calling card, are you going to differentiate yourself?"

Finally, believe in yourself, he said.

"You know what the truth is? Things are always changing. I didn't plan on my dad dying and at 32 years old having to step into his shoes. Quite frankly, I wasn't ready – no one ever is for this sort of thing. But the world doesn't wait for you to be ready. You've got to step up and take what's given to you and take opportunities, and make your own opportunities."

Despite adversity or societal expectations, Soultanian insists: "Don't be afraid to be different."

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CALENDAR

March 19
- U.S. Supreme Court Swearing-in Ceremony
- Washington D.C. Law Alumni Reception

March 22
- Winston-Salem Young Alumni Reception
- Triangle Young Alumni Reception

April 12
- Triangle Law Alumni Reception

May 6
- Greensboro Young Alumni Grasshoppers Game

May 18-19
- Hooding and Commencement

June 20
- North Carolina Advocates for Justice Alumni Reception

June 21
- Wilmington Law Alumni Reception

June 22
- N.C. Bar Alumni Reception

visit law.wfu.edu for complete and up-to-date calendar of events.